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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,927	03/08/2005	Robert Peter Scholl	DE 020209	7523
24737 7590 08/02/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
			EXAMINER GREEN, TRACIE Y	
			ART UNIT 2809	PAPER NUMBER
			MAIL DATE 08/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/526,927		SCHOLL ET AL.	
	Examiner		Art Unit	
	Tracie Y. Green		2809	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/08/2005 and 11/02/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 rejected under 35 U.S.C. 102(b) as being anticipated by Joormann (U.S. Patent 4,459,510).

Joormann discloses a low-pressure gas discharge lamp comprising:

Regarding Claim 1, (original)

- A. equipped with a gas-discharge vessel containing an inert gas filling as the buffer gas and an indium, thallium and/or copper halide (Column 3 lines 35-40)
- B. with electrodes and with means for generating and maintaining a low-pressure gas discharge; (Column 2 lines 60-65)
- C. characterized in that it has, as the electron emitter substance, a mixture of BaO, SrO, CaO, and MgO, wherein:
 - a) the molar proportion of BaO is less than 1 percent by weight, (Column 1 lines 35-36)
 - b) the molar proportion of SrO is less than 10 percent by weight, (Column 1 lines 65-66)

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c) the sum of the molar proportions of CaO and MgO is greater than 90 percent by weight, while the CaO proportion in the CaO/MgO mixture lies between 10 and 90 percent by weight. (Column 1 lines 40-45)

Regarding claim 2, it contains an inert gas from the group of helium, neon, argon, krypton and/or xenon as the buffer gas (Column 1 lines 34-40)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joormann in view of Harzig et al (5,614,784).

Joormann's invention discloses all of the claimed limitations from above except for a fluorescent coating is applied to the interior and/or exterior of the gas discharge vessel; for coating electrodes in discharge lamps; and for coating a tungsten electrode

However, Harzig et al teaches:

Regarding claim 3, characterized in that a fluorescent coating is applied to the interior and/or exterior of the gas discharge vessel (Column 3 lines 20-25)

Regarding claim 4, for coating electrodes in discharge lamps (Column 2 lines 17-25)

Regarding claim 5, for coating a tungsten electrode (Column 3 lines 25-30 and Figure 1, #3a and 3b)

5. Given the teachings of Harzig et al it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the a low-pressure gas discharge lamp of Joormann with a fluorescent coating is applied to the interior and/or exterior of the gas discharge vessel; coating electrodes in discharge lamps; and coating a tungsten electrode

Doing so would provide a lamp that had improved cold-start characteristics and a longer life duration than other lamps of its kind.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references that are cited for disclosing related limitations can be found in Form-892 of this office action.

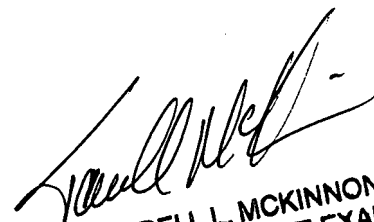
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracie Y. Green whose telephone number is 571/270-3104. The examiner can normally be reached on Monday-Thursday- 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell McKinnon can be reached on 571/272-4797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Tracie Green
May 30, 2007


TERRELL L. MCKINNON
SUPERVISORY PATENT EXAMINER